

1 because I circled back three times, in complete,
2 utter disbelief, he goes -- he was very clear
3 about it, he goes: The pilot review hiring
4 committee, for whatever their reasons are,
5 believe that people with your flight time -- and
6 one of the times he said age, but it was mostly
7 just flight time -- they will not consider you
8 because of your -- your -- the amount of flight
9 time. They will only hire people, generally,
10 with between 7,000 and 7,500 hours. And I --
11 it -- it just thunderstruck me.

12 Q. Did you respond to him in that, did
13 you ask him why?

14 A. Yes. And as I said, we circled
15 back to this question three times, because I
16 was, again, thunderstruck, in disbelief. And in
17 between, he would say, well, look, I'm going to
18 have coffee with Brad in the morning, he goes,
19 you know, if Brad says bring you in, we'll bring
20 you in, you know, we can -- we can twist the
21 arms of the pilot review hiring committee.

22 Q. Okay.

1 A. And again, thunderstruck, and I
2 would circle back again. I circled two
3 additional times to hear the statements said
4 basically the same way three times.

5 Q. And did Mr. Arellano identify who
6 was on the pilot review -- pilot hiring
7 committee?

8 A. No. I wouldn't have expected him
9 to.

10 Q. In -- in the conversation with
11 Mr. Arellano, did he ask you your age?

12 A. No.

13 Q. Did you volunteer your age?

14 A. No.

15 Q. Did he ever say, in the
16 conversation, that your age was a concern?

17 A. Indirectly.

18 Q. What do you mean by indirect?
19 Explain what you mean by indirectly.

20 A. In this industry, 15 -- 14 --
21 13,000 hours and above is a considerable amount
22 of time. And if you've been in -- if you have

1 been in the industry for any length of time, you
2 can very easily correlate that to an age
3 approximation.

4 Q. Or -- or certainly years of
5 experience?

6 A. Potato, po-tot-o, yes.

7 Q. Were you taking notes -- did you
8 take notes during that conversation with Jerry?

9 A. I scribbled some notes, yes.

10 Q. And do you still have them?

11 A. I'd have to look.

12 Q. Now, I think those would be
13 responsive to our discovery requests, if you do
14 have them still.

15 A. Yes, if I do, and if they're
16 legible, yeah, as we were discussing off the
17 record, without the court reporter, you know,
18 just writing down different notes that mean
19 something to me but nobody else.

20 Q. Sure. If you had those notes,
21 would you still have them at home?

22 A. Okay. Yes. I mean, as opposed

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5 Q. That was in an email response a week later. So
6 in the three times that I asked you in different ways why
7 would the pilot review hiring committee not consider
8 people with over seven thousand or seventy-five hundred
9 hours, do you recall telling me, Because they consider
10 you too old, set in your ways and untrainable?

11 A. I do not recall that. I do not use "set in
12 their ways" term. We never discussed age. I still do
13 not know how old you are and had not ever seen you
14 because this was a phone call. So I know I wouldn't have
15 said that. If anything, there is a perception out there
16 that pilots, after a certain number of hours, sometimes
17 it's difficult for them to transition and learn a

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18 different type of training, especially Frontier's

19 training which is deemed very difficult at times. Again,

20 I'm not a pilot, so I can't speak to the training, so.

21 Q. So it's funny you mention that, that you

22 volunteered that that's a mindset out there, but you

23 don't recall telling me that I'm too old, too set in my

24 ways and considered untrainable. You don't remember

25 telling me that that's the way the pilot review hiring

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1 committee looks at things?

2 A. What I did say was I don't use those terms. I

3 would have never said "set in your ways" and that you're

4 too old because we didn't discuss age. I never said

1 MR. PEARCE: I see it. I'm sorry. I believe

2 it's Exhibit 1. My apologies, Alexis. It was the

3 application. There we go.

4 Q. Would you please read the instructions that

5 start out "From your first flight hour"?

6 A. Are you referring to, "From your first flight

7 hour to present, please disclose any and all check rides,

8 stage checks, line checks, PCs, PTs, AQP or any other,"

9 and I can't see the rest because of the little windows.

10 Q. Yeah, that's it. That's correct. I don't see

11 any instructions on there for, you know, please share

12 what you might have learned with this. Do you see

27 cont.

13 anything in there about that, please share, you know, any

14 outcome or any life lessons learned there?

15 A. No, sir.

16 Q. Okay. So is it fair to say that this is not the

17 place for confessions of, you know, what I learned, it's

18 just specifically what the problem was and the date,

19 period?

20 A. Yes.

21 Q. Okay. So can you help me connect the dots on if

22 I'm not instructed to share that and I answer the

23 questions appropriately, why someone would take a leap

24 and lay their heart on the line saying, you know, I just

25 wasn't accountable, you know, I should have done this, I

1 should have done that? Could you share with me how the

2 applicant would know to do that?

3 MR. PETESCH: I'm going to object to form, but

4 he can answer the question. It's just -- Mr. Pearce,

5 it's just a formality objection on the record, just to

6 explain what I'm doing. I'm not trying to stop the

7 witness from answering.

8 MR. PEARCE: Okay.

9 A. And so the purpose of the call, Mr. Pearce, was

10 to get more information from that.

11 Q. No, I'm asking you about the leap of faith and

12 understanding the instructions on the application. You

13 know, how would I know that I'm supposed to explain what

28 cont

14 I've learned in what I've disclosed and, you know, be

15 accountable, as you requested? Would the applicant know

16 that reading those instructions?

17 A. For the application, no.

18 Q. Okay. Very good. I've made my point there.

19 Now, back to the first part of the question.

20 With a guy who was one of the youngest lieutenants in a

21 volunteer fire department, lifetime member, highly

22 decorated crash investigation graduate from the National

23 Transportation Safety Board, 11-year FFDO participant,

24 would you tend to derive that a person that has that on

25 his resumé is not accountable?